IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25048 of 2004

Between:

Lokireddy Lakshmamma W/o.Ratna Reddy
R/o. Audireddipalli village, H/o Chamadala (Village),
Jaladanki Mandal, Nellore District.

... PETITIONER

AND

1 The Revenue Divisional Officer, Kavali, Nellore District.
2 The Mandal Revenue Officer, Jaladanki Mandal,Jaladanki, Nellore District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS under Article 226 of Constitution of India, declaring the action of the Revenue Divisional Officer, Kavali, Nellore District in not passing any orders in the suspension petition in the Appeal filed by the petitioner, aggrieved by the proceedings of the Mandal Revenue Officer, Jaladanki Mandal, Jaladani, Nellore District in RCB. No.153/27/2004 dated 14-9-2004 is arbitrary, illegal, without jurisdiction in violation of the sections 3 and 4 of the Assigned Lands (Prohibition of Transfers) Act 1977 and consequently set aside the proceedings of the Mandal Revenue Officer, Jaladanki, Nellore District, dated 14-9-2004.

For the Petitioner: MR.CH.CKRISHNA REDDY, Advocate

For the Respondent Nos.1 and 2: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

In this writ petition, petitioner is challenging the impugned order dated14-09-2004 passed by the second respondent in RCB.No.153/27/2004 in exercise of the powers under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') in respect of Ac.1-21 cents of land in Survey No.416-6 of Chamadala Village, Jaladanki Mandal of Nellore District. It is submitted that against the orders passed by the second respondent, petitioner already preferred an appeal before the first respondent on 15-12-2004 under Section 4(1) of the Act, and also filed a petition to suspend the order of the second respondent, which are pending on the file of the first respondent. Assailing the action of the first respondent in not passing any orders on the suspension petition filed in the appeal, the petitioner filed this writ petition.

In the circumstances, the writ petition is disposed of at the stage of admission directing the first respondent to consider the appeal and the suspension petition said to have been filed by the petitioner and pass appropriate orders either on the suspension petition or on the appeal, in accordance with law. Till passing of such orders, status quo obtaining as on today shall be maintained.

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N.V.RAMANA, J

Date: 31-12-2004

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To

1 The Revenue Divisional Officer, Kavali, Nellore District.
2 The Mandal Revenue Officer, Jaladanki Mandal,Jaladanki, Nellore District.

3 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CD copies.